

B1 (Official Form 1)(4/10)

United States Bankruptcy Court District of Nevada				Voluntary Petition	
Name of Debtor (if individual, enter Last, First, Middle): <b>CAVIATA ATTACHED HOMES, LLC</b>			Name of Joint Debtor (Spouse) (Last, First, Middle):		
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):			All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names):		
Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all) <b>20-2965622</b>			Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all)		
Street Address of Debtor (No. and Street, City, and State): <b>8700 TECHNOLOGY WAY RENO, NV</b> <div style="text-align: right; font-size: small;">ZIP Code <b>89520</b></div>			Street Address of Joint Debtor (No. and Street, City, and State): <div style="text-align: right; font-size: small;">ZIP Code</div>		
County of Residence or of the Principal Place of Business: <b>WASHOE</b>			County of Residence or of the Principal Place of Business:		
Mailing Address of Debtor (if different from street address): <b>P.O. BOX 17980 RENO, NV</b> <div style="text-align: right; font-size: small;">ZIP Code <b>89511</b></div>			Mailing Address of Joint Debtor (if different from street address): <div style="text-align: right; font-size: small;">ZIP Code</div>		
Location of Principal Assets of Business Debtor (if different from street address above):					
<b>Type of Debtor</b> (Form of Organization) (Check one box)  <input type="checkbox"/> Individual (includes Joint Debtors) <i>See Exhibit D on page 2 of this form.</i> <input checked="" type="checkbox"/> Corporation (includes LLC and LLP) <input type="checkbox"/> Partnership <input type="checkbox"/> Other (If debtor is not one of the above entities, check this box and state type of entity below.)		<b>Nature of Business</b> (Check one box)  <input type="checkbox"/> Health Care Business <input checked="" type="checkbox"/> Single Asset Real Estate as defined in 11 U.S.C. § 101 (51B) <input type="checkbox"/> Railroad <input type="checkbox"/> Stockbroker <input type="checkbox"/> Commodity Broker <input type="checkbox"/> Clearing Bank <input type="checkbox"/> Other  <b>Tax-Exempt Entity</b> (Check box, if applicable) <input type="checkbox"/> Debtor is a tax-exempt organization under Title 26 of the United States Code (the Internal Revenue Code).		<b>Chapter of Bankruptcy Code Under Which the Petition is Filed (Check one box)</b>  <input type="checkbox"/> Chapter 7 <input type="checkbox"/> Chapter 9 <input checked="" type="checkbox"/> Chapter 11 <input type="checkbox"/> Chapter 12 <input type="checkbox"/> Chapter 13  <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Main Proceeding <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Nonmain Proceeding  <b>Nature of Debts</b> (Check one box)  <input type="checkbox"/> Debts are primarily consumer debts, defined in 11 U.S.C. § 101(8) as "incurred by an individual primarily for a personal, family, or household purpose." <input checked="" type="checkbox"/> Debts are primarily business debts.	
<b>Filing Fee (Check one box)</b>  <input checked="" type="checkbox"/> Full Filing Fee attached  <input type="checkbox"/> Filing Fee to be paid in installments (applicable to individuals only). Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form 3A.  <input type="checkbox"/> Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.			<b>Chapter 11 Debtors</b>  <input type="checkbox"/> Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). <input checked="" type="checkbox"/> Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D).  Check if: <input type="checkbox"/> Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,343,300 (amount subject to adjustment on 4/01/13 and every three years thereafter).  Check all applicable boxes: <input type="checkbox"/> A plan is being filed with this petition. <input type="checkbox"/> Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).		
<b>Statistical/Administrative Information *** ALAN R. SMITH 1449 ***</b>  <input checked="" type="checkbox"/> Debtor estimates that funds will be available for distribution to unsecured creditors. <input type="checkbox"/> Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors.				THIS SPACE IS FOR COURT USE ONLY	
<b>Estimated Number of Creditors</b> <input checked="" type="checkbox"/> 1-49 <input type="checkbox"/> 50-99 <input type="checkbox"/> 100-199 <input type="checkbox"/> 200-999 <input type="checkbox"/> 1,000-5,000 <input type="checkbox"/> 5,001-10,000 <input type="checkbox"/> 10,001-25,000 <input type="checkbox"/> 25,001-50,000 <input type="checkbox"/> 50,001-100,000 <input type="checkbox"/> OVER 100,000					
<b>Estimated Assets</b> <input type="checkbox"/> \$0 to \$50,000 <input type="checkbox"/> \$50,001 to \$100,000 <input type="checkbox"/> \$100,001 to \$500,000 <input type="checkbox"/> \$500,001 to \$1 million <input type="checkbox"/> \$1,000,001 to \$10 million <input checked="" type="checkbox"/> \$10,000,001 to \$50 million <input type="checkbox"/> \$50,000,001 to \$100 million <input type="checkbox"/> \$100,000,001 to \$500 million <input type="checkbox"/> \$500,000,001 to \$1 billion <input type="checkbox"/> More than \$1 billion					
<b>Estimated Liabilities</b> <input type="checkbox"/> \$0 to \$50,000 <input type="checkbox"/> \$50,001 to \$100,000 <input type="checkbox"/> \$100,001 to \$500,000 <input type="checkbox"/> \$500,001 to \$1 million <input type="checkbox"/> \$1,000,001 to \$10 million <input checked="" type="checkbox"/> \$10,000,001 to \$50 million <input type="checkbox"/> \$50,000,001 to \$100 million <input type="checkbox"/> \$100,000,001 to \$500 million <input type="checkbox"/> \$500,000,001 to \$1 billion <input type="checkbox"/> More than \$1 billion					

<b>Voluntary Petition</b> <i>(This page must be completed and filed in every case)</i>		Name of Debtor(s): <b>CAVIATA ATTACHED HOMES, LLC</b>	
<b>All Prior Bankruptcy Cases Filed Within Last 8 Years</b> (If more than two, attach additional sheet)			
Location Where Filed: <b>DISTRICT OF NEVADA</b>	Case Number: <b>09-52786</b>	Date Filed: <b>8/18/09</b>	
Location Where Filed:	Case Number:	Date Filed:	
<b>Pending Bankruptcy Case Filed by any Spouse, Partner, or Affiliate of this Debtor</b> (If more than one, attach additional sheet)			
Name of Debtor: <b>- None -</b>	Case Number:	Date Filed:	
District:	Relationship:	Judge:	
<b>Exhibit A</b>  (To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.)  <input type="checkbox"/> Exhibit A is attached and made a part of this petition.		<b>Exhibit B</b> (To be completed if debtor is an individual whose debts are primarily consumer debts.) I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter. I further certify that I delivered to the debtor the notice required by 11 U.S.C. §342(b).  <b>X</b> _____ Signature of Attorney for Debtor(s) (Date)	
<b>Exhibit C</b>			
Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety? <input type="checkbox"/> Yes, and Exhibit C is attached and made a part of this petition. <input checked="" type="checkbox"/> No.			
<b>Exhibit D</b>			
(To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.) <input type="checkbox"/> Exhibit D completed and signed by the debtor is attached and made a part of this petition. If this is a joint petition: <input type="checkbox"/> Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition.			
<b>Information Regarding the Debtor - Venue</b> (Check any applicable box)			
<input checked="" type="checkbox"/> Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District. <input type="checkbox"/> There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District. <input type="checkbox"/> Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District.			
<b>Certification by a Debtor Who Resides as a Tenant of Residential Property</b> (Check all applicable boxes)			
<input type="checkbox"/> Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.)  <div style="margin-left: 40px;">         _____          (Name of landlord that obtained judgment)       </div>  <div style="margin-left: 40px;">         _____          (Address of landlord)       </div>			
<input type="checkbox"/> Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and <input type="checkbox"/> Debtor has included in this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition. <input type="checkbox"/> Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(l)).			

**Voluntary Petition***(This page must be completed and filed in every case)*

Name of Debtor(s):

**CAVIATA ATTACHED HOMES, LLC****Signatures****Signature(s) of Debtor(s) (Individual/Joint)**

I declare under penalty of perjury that the information provided in this petition is true and correct.

[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7. [If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. §342(b).

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

X \_\_\_\_\_  
Signature of Debtor

X \_\_\_\_\_  
Signature of Joint Debtor

\_\_\_\_\_  
Telephone Number (If not represented by attorney)

\_\_\_\_\_  
Date

**Signature of Attorney\***

X /s/ ALAN R. SMITH  
Signature of Attorney for Debtor(s)

ALAN R. SMITH 1449  
Printed Name of Attorney for Debtor(s)

THE LAW OFFICES OF ALAN R. SMITH  
Firm Name

505 RIDGE STREET  
RENO, NV 89501-1719

\_\_\_\_\_  
Address

Email: mail@asmithlaw.com

(775) 786-4579 Fax: (775) 786-3066  
Telephone Number

August 1, 2011  
Date

\*In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.

**Signature of Debtor (Corporation/Partnership)**

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

X /s/ WILLIAM D. PENNINGTON, II  
Signature of Authorized Individual

WILLIAM D. PENNINGTON, II  
Printed Name of Authorized Individual

MEMBER, CAVIATA 184, LLC  
Title of Authorized Individual

August 1, 2011  
Date

**Signature of a Foreign Representative**

I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition.

(Check only one box.)

☐ I request relief in accordance with chapter 15 of title 11, United States Code. Certified copies of the documents required by 11 U.S.C. §1515 are attached.

☐ Pursuant to 11 U.S.C. §1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.

X \_\_\_\_\_  
Signature of Foreign Representative

\_\_\_\_\_  
Printed Name of Foreign Representative

\_\_\_\_\_  
Date

**Signature of Non-Attorney Bankruptcy Petition Preparer**

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19 is attached.

\_\_\_\_\_  
Printed Name and title, if any, of Bankruptcy Petition Preparer

\_\_\_\_\_  
Social-Security number (If the bankruptcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.)

\_\_\_\_\_  
Address

X \_\_\_\_\_  
Date

Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose Social Security number is provided above.

Names and Social-Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

*A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. §110; 18 U.S.C. §156.*

B4 (Official Form 4) (12/07)

**United States Bankruptcy Court**  
**District of Nevada**

In re CAVIATA ATTACHED HOMES, LLC

Debtor(s)

Case No.

Chapter

11

**LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS**

Following is the list of the debtor's creditors holding the 20 largest unsecured claims. The list is prepared in accordance with Fed. R. Bankr. P. 1007(d) for filing in this chapter 11 [or chapter 9] case. The list does not include (1) persons who come within the definition of "insider" set forth in 11 U.S.C. § 101, or (2) secured creditors unless the value of the collateral is such that the unsecured deficiency places the creditor among the holders of the 20 largest unsecured claims. If a minor child is one of the creditors holding the 20 largest unsecured claims, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See 11 U.S.C. § 112; Fed. R. Bankr. P. 1007(m).

(1) <i>Name of creditor and complete mailing address including zip code</i>	(2) <i>Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted</i>	(3) <i>Nature of claim (trade debt, bank loan, government contract, etc.)</i>	(4) <i>Indicate if claim is contingent, unliquidated, disputed, or subject to setoff</i>	(5) <i>Amount of claim [if secured, also state value of security]</i>
FALLEN LEAF ATTACHED HOMES, LLC C/O ASSIGNEE SPECIALTY ACQUISITION CORP. 8700 TECHNOLOGY WAY RENO, NV 89521	FALLEN LEAF ATTACHED HOMES, LLC C/O ASSIGNEE SPECIALTY ACQUISITION CORP. RENO, NV 89521	MONIES LOANED		7,128,533.00
SPECIALTY MORTGAGE, CORP. C/O ASSIGNEE VCH CAPITAL INVESTMENTS, LLC 2908 FOX HILL DRIVE ROCKLIN, CA 95765	SPECIALTY MORTGAGE, CORP. C/O ASSIGNEE VCH CAPITAL INVESTMENTS, LLC ROCKLIN, CA 95765	950 HENRY ORR PARKWAY, SPARKS, NV 89436 [CLAIM AMOUNT IS ESTIMATED PENDING APPRAISAL OF PROPERTY]		6,217,641.00 (23,000,000.00 secured) (27,476,633.00 senior lien)
CALIFORNIA NATIONAL BANK C/O ASSIGNEE U.S. BANK JOSHUA D. WAYSER, ESQ. 2029 CENTURY PARK EAST LOS ANGELES, CA 90067	CALIFORNIA NATIONAL BANK C/O ASSIGNEE U.S. BANK JOSHUA D. WAYSER, ESQ. LOS ANGELES, CA 90067	950 HENRY ORR PARKWAY, SPARKS, NV 89436 [CLAIM AMOUNT IS ESTIMATED PENDING APPRAISAL OF PROPERTY]		27,476,633.00 (23,000,000.00 secured)
SIERRA SUMMIT LANDSCAPE 18724 WEDGE PKWY, #418 RENO, NV 89511	SIERRA SUMMIT LANDSCAPE 18724 WEDGE PKWY, #418 RENO, NV 89511	LANDSCAPING - GOODS/SERVICES		25,100.00
FISHER, J. FRANK 9437 DOUBLE DIAMOND #17 RENO, NV 89521	FISHER, J. FRANK 9437 DOUBLE DIAMOND #17 RENO, NV 89521	ACCOUNTANT - GOODS/SERVICES		13,500.00

B4 (Official Form 4) (12/07) - Cont.

In re **CAVIATA ATTACHED HOMES, LLC**

Case No. \_\_\_\_\_

Debtor(s)

**LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS**  
(Continuation Sheet)

(1)	(2)	(3)	(4)	(5)
<i>Name of creditor and complete mailing address including zip code</i>	<i>Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted</i>	<i>Nature of claim (trade debt, bank loan, government contract, etc.)</i>	<i>Indicate if claim is contingent, unliquidated, disputed, or subject to setoff</i>	<i>Amount of claim [if secured, also state value of security]</i>

**DECLARATION UNDER PENALTY OF PERJURY  
ON BEHALF OF A CORPORATION OR PARTNERSHIP**

I, the MEMBER, CAVIATA 184, LLC of the corporation named as the debtor in this case, declare under penalty of perjury that I have read the foregoing list and that it is true and correct to the best of my information and belief.

Date August 1, 2011

Signature /s/ WILLIAM D. PENNINGTON, II  
**WILLIAM D. PENNINGTON, II**  
**MEMBER, CAVIATA 184, LLC**

*Penalty for making a false statement or concealing property:* Fine of up to \$500,000 or imprisonment for up to 5 years or both.  
 18 U.S.C. §§ 152 and 3571.

**United States Bankruptcy Court  
District of Nevada**

In re CAVIATA ATTACHED HOMES, LLC

Debtor(s)

Case No.

Chapter

11

**DISCLOSURE OF COMPENSATION OF ATTORNEY FOR DEBTOR(S)**

1. Pursuant to 11 U.S.C. § 329(a) and Bankruptcy Rule 2016(b), I certify that I am the attorney for the above-named debtor and that compensation paid to me within one year before the filing of the petition in bankruptcy, or agreed to be paid to me, for services rendered or to be rendered on behalf of the debtor(s) in contemplation of or in connection with the bankruptcy case is as follows:

For legal services, I have agreed to accept.....	\$	<u>10,000.00</u>
Prior to the filing of this statement I have received.....	\$	<u>10,000.00</u>
Balance Due .....	\$	<u>0.00</u>

2. \$ 1,039.00 of the filing fee has been paid.
3. The source of the compensation paid to me was:  
☐ Debtor      ☒ Other (specify): **PACIFIC WEST SERVICE COMPANY, LLC - TRUST**
4. The source of compensation to be paid to me is:  
☐ Debtor      ☒ Other (specify): **PACIFIC WEST SERVICE COMPANY, LLC - TRUST**
5. ☒ I have not agreed to share the above-disclosed compensation with any other person unless they are members and associates of my law firm.  
☐ I have agreed to share the above-disclosed compensation with a person or persons who are not members or associates of my law firm. A copy of the agreement, together with a list of the names of the people sharing in the compensation is attached.
6. In return for the above-disclosed fee, I have agreed to render legal service for all aspects of the bankruptcy case, including:  
a. Analysis of the debtor's financial situation, and rendering advice to the debtor in determining whether to file a petition in bankruptcy;  
b. Preparation and filing of any petition, schedules, statement of affairs and plan which may be required;  
c. Representation of the debtor at the meeting of creditors and confirmation hearing, and any adjourned hearings thereof;  
d. [Other provisions as needed]
7. By agreement with the debtor(s), the above-disclosed fee does not include the following service:

**CERTIFICATION**

I certify that the foregoing is a complete statement of any agreement or arrangement for payment to me for representation of the debtor(s) in this bankruptcy proceeding.

Dated: August 1, 2011/s/ ALAN R. SMITH

**ALAN R. SMITH 1449  
THE LAW OFFICES OF ALAN R. SMITH  
505 RIDGE STREET  
RENO, NV 89501-1719  
(775) 786-4579 Fax: (775) 786-3066  
mail@asmithlaw.com**

**United States Bankruptcy Court  
District of Nevada**

In re CAVIATA ATTACHED HOMES, LLC

Debtor

Case No. \_\_\_\_\_

Chapter 11

**LIST OF EQUITY SECURITY HOLDERS**

Following is the list of the Debtor's equity security holders which is prepared in accordance with Rule 1007(a)(3) for filing in this chapter 11 case.

Name and last known address or place of business of holder	Security Class	Number of Securities	Kind of Interest
<b>CAVIATA 184, LLC 8700 TECHNOLOGY WAY RENO, NV 89521</b>		<b>100%</b>	<b>MEMBER</b>

**DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP**

I, the MEMBER, CAVIATA 184, LLC of the corporation named as the debtor in this case, declare under penalty of perjury that I have read the foregoing List of Equity Security Holders and that it is true and correct to the best of my information and belief.

Date August 1, 2011

Signature /s/ WILLIAM D. PENNINGTON, II  
**WILLIAM D. PENNINGTON, II**  
**MEMBER, CAVIATA 184, LLC**

*Penalty for making a false statement or concealing property: Fine of up to \$500,000 or imprisonment for up to 5 years or both.  
 18 U.S.C §§ 152 and 3571.*

**United States Bankruptcy Court  
District of Nevada**

In re CAVIATA ATTACHED HOMES, LLC

Debtor(s)

Case No.  
Chapter

11

**VERIFICATION OF CREDITOR MATRIX**

I, the MEMBER, CAVIATA 184, LLC of the corporation named as the debtor in this case, hereby verify that the attached list of creditors is true and correct to the best of my knowledge.

Date: August 1, 2011

/s/ WILLIAM D. PENNINGTON, II

WILLIAM D. PENNINGTON, II/MEMBER, CAVIATA 184, LLC  
Signer/Title



CAVIATA ATTACHED HOMES, LLC  
P.O. BOX 17980  
RENO, NV 89511

ALAN R. SMITH  
THE LAW OFFICES OF ALAN R. SMITH  
505 RIDGE STREET  
RENO, NV 89501-1719

INTERNAL REVENUE SERVICE  
STOP 5028  
110 CITY PARKWAY  
LAS VEGAS, NV 89106

NEVADA DEPT TAXATION  
P.O. BOX 52685  
PHOENIX, AZ 85072-2674

NEVADA EMPLOYMENT SEC  
500 E. THIRD STREET  
CARSON CITY, NV 89713-0030

NV DEPT OF MOTOR VEHICLES  
BANKRUPTCY SECTION  
555 WRIGHT WAY  
CARSON CITY, NV 89711-0001

NV LABOR COMMISSION  
675 FAIRVIEW LANE, STE 226  
CARSON CITY, NV 89710-5474

OFFICE OF THE U.S. TRUSTEE  
300 BOOTH STREET, RM. 3009  
RENO, NV 89509-1362

I.R.S.-BK. PHILADELPHIA  
PO BOX 7346  
PHILADELPHIA, PA 19101-7346

WASHOE COUNTY TREASURER  
PO BOX 30039  
RENO, NV 89520-3039

NV DEPT OF TAXATION  
BANKRUPTCY DIVISION  
4600 KIETZKE LANE  
SUITE L-235  
RENO, NV 89502

CALIFORNIA NATIONAL BANK  
C/O ASSIGNEE U.S. BANK  
JOSHUA D. WAYSER, ESQ.  
2029 CENTURY PARK EAST  
LOS ANGELES, CA 90067

CAVIATA 184, LLC  
8700 TECHNOLOGY WAY  
RENO, NV 89521

DANE HILLYARD  
AND AS TTEE OF HILLYARD FAMILY TRUST  
8700 TECHNOLOGY WAY  
RENO, NV 89521

FALLEN LEAF ATTACHED HOMES, LLC  
C/O ASSIGNEE  
SPECIALTY ACQUISITION CORP.  
8700 TECHNOLOGY WAY  
RENO, NV 89521

FISHER, J. FRANK  
9437 DOUBLE DIAMOND #17  
RENO, NV 89521

PINNACLE AMS  
4449 GRANITE DR., #902  
ROCKLIN, CA 95677-2194

SIERRA SUMMIT LANDSCAPE  
18724 WEDGE PKWY, #418  
RENO, NV 89511

SPECIALTY MORTGAGE, CORP.  
C/O ASSIGNEE  
VCH CAPITAL INVESTMENTS, LLC  
2908 FOX HILL DRIVE  
ROCKLIN, CA 95765

WILLIAM D. PENNINGTON, II  
AND AS TTEE OF LIVING TRUST  
8700 TECHNOLOGY WAY  
RENO, NV 89521

**United States Bankruptcy Court  
District of Nevada**

In re CAVIATA ATTACHED HOMES, LLC

Debtor(s)

Case No. \_\_\_\_\_

Chapter 11

**CORPORATE OWNERSHIP STATEMENT (RULE 7007.1)**

Pursuant to Federal Rule of Bankruptcy Procedure 7007.1 and to enable the Judges to evaluate possible disqualification or recusal, the undersigned counsel for CAVIATA ATTACHED HOMES, LLC in the above captioned action, certifies that the following is a (are) corporation(s), other than the debtor or a governmental unit, that directly or indirectly own(s) 10% or more of any class of the corporation's(s') equity interests, or states that there are no entities to report under FRBP 7007.1:

**CAVIATA 184, LLC  
8700 TECHNOLOGY WAY  
RENO, NV 89521**

☐ None [*Check if applicable*]

August 1, 2011

Date

/s/ ALAN R. SMITH

**ALAN R. SMITH 1449**

Signature of Attorney or Litigant

Counsel for CAVIATA ATTACHED HOMES, LLC

**THE LAW OFFICES OF ALAN R. SMITH**

**505 RIDGE STREET**

**RENO, NV 89501-1719**

**(775) 786-4579 Fax:(775) 786-3066**

**mail@asmithlaw.com**

Name, Address, Telephone No. &amp; I.D. No.

ALAN R. SMITH 1449  
 505 RIDGE STREET  
 RENO, NV 89501-1719  
 (775) 786-4579  
 1449

**UNITED STATES BANKRUPTCY COURT**  
 District of Nevada

In Re  
 CAVIATA ATTACHED HOMES, LLC

Debtor(s)

BANKRUPTCY NO.  
 CHAPTER NO. 11

**DECLARATION RE: ELECTRONIC FILING OF PETITION  
 SCHEDULES, STATEMENTS AND PLAN (if applicable)**

**PART I - DECLARATION OF PETITIONER**

I [We] WILLIAM D. PENNINGTON, II and \_\_\_\_\_, the undersigned debtor(s) hereby declare under penalty of perjury that the information I have given my attorney and the information provided in the electronically filed petition, statements, schedules, amendments and plan (if applicable) as indicated above is true and correct. I consent to my attorney filing my petition, this declaration, statements, schedules and plan (if applicable) as indicated above to the United States Bankruptcy Court. I understand that this DECLARATION RE: ELECTRONIC FILING is to be filed with the Clerk once all schedules have been filed electronically but, in no event, no later than 15 days following the date the petition was electronically filed. I understand that failure to file the signed original of this DECLARATION will cause my case to be dismissed pursuant to 11 U.S.C. § 707(a)(3) without further notice.

- ☐ If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7 or 13. I am aware that I may proceed under chapter 7, 11, 12, or 13 of 11 United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7 or 13. I request relief in accordance with the chapter specified in this petition.
- ☒ [If petitioner is a corporation or partnership] I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor. The debtor requests relief in accordance with the chapter specified in this petition.

Dated: August 1, 2011

Signed: /s/ WILLIAM D. PENNINGTON, II  
WILLIAM D. PENNINGTON, II/MEMBER, CAVIATA  
184, LLC  
 (Applicant)

**PART II - DECLARATION OF ATTORNEY**

I, the attorney for the petitioner named in the foregoing petition, declare that, I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter.

Dated: August 1, 2011

Signed: /s/ ALAN R. SMITH  
ALAN R. SMITH 1449  
 Attorney for Debtor(s)